

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

FREDRICK JAMES DAVIS,

Plaintiff,

v.

ROBERT SMITH,

Defendant.

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No. 4:09-CV-1045-CDP

ORDER OF DISMISSAL

IT IS HEREBY ORDERED that plaintiff's complaint is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915(g).

IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

Dated this 8th day of July, 2009.


UNITED STATES DISTRICT JUDGE